

# PUBLIC SUBMISSION

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**Docket:** EPA-R03-OW-2010-0736  
Draft Chesapeake Bay Total Maximum Daily Load

**Comment On:** EPA-R03-OW-2010-0736-0001  
Clean Water Act Section 303(d): Notice for the Public Review of the Draft Total Maximum Daily Load (TMDL) for the Chesapeake Bay

**Document:** EPA-R03-OW-2010-0736-0312  
Comment submitted by Vinh Nguyen, Chairman of the Board, Northern Virginia Association of Realtors (NVAR)

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## Submitter Information

**Submitter's Representative:** Vinh Nguyen  
**Organization:** Northern Virginia Association of Realtors (NVAR)

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## General Comment

November 5, 2010

The Honorable Lisa P. Jackson, Administrator  
United States Environmental Protection Agency  
Ariel Rios Building – Mail Code 1101-A, Room 3000  
1200 Pennsylvania Ave, N.W.  
Washington, D.C. 20460

Dear Administrator Jackson:

On behalf of the Northern Virginia Association of REALTORS® (NVAR), a local trade association representing more than 10,500 members, I am writing in regards to the Environmental Protection Agency's (EPA) draft implementation goals and requirements of the proposed Total Maximum Daily Load (TMDL) allocations for states within the Chesapeake Bay watershed.

NVAR appreciated the willingness of EPA officials to meet with industry representatives in October. We believe it was a productive discussion on the effect this plan will have on the development industry.

However, several concerns remain on the implementation details and overall cost-effectiveness of the plan. As a result, we urge the EPA to delay adoption of the TMDL allocations for at least one year in order to address several issues:

- Correcting flawed information on impervious surfaces and pollution sources included in current watershed models;
- Incorporating estimates on the overall implementation cost of the TMDL benchmarks as well as a cost-benefit analysis on individual sector improvements within urban developments, on-site septic systems, agricultural lands and wastewater treatment facilities; and,
- Evaluating the full impact of urban development retrofit requirements on existing developments with impervious surfaces, including commercial and residential parking lots as well as state and local highways.

The EPA should give immediate consideration to the above issues and delay implementation of the TMDL allocations until such time as all parties can be assured of the true costs of these requirements.

Sincerely,

Vinh Nguyen  
Chairman of the Board